



Board Members

President

Alicia Rabena-Amen, PT, DPT

Vice-President

Katarina Eleby, M.A.

Members

Jesus Dominguez, PT, PhD

Daniel Drummer, PT, DPT

Johnathon Ervin

Tonia McMillian

Vacant, Professional Member

**Physical Therapy Board of California
Adopted Meeting Minutes**

December 10, 2020 9:00 a.m.

Department of Consumer Affairs
Public WebEx and Teleconference
Platform

Board Staff

Jason Kaiser, Executive
Officer

Elsa Ybarra, Assistant
Executive Officer

Sarah Conley, Manager

Liz Constancio, Manager

Brooke Arneson, Executive
Analyst

For the sake of clarity, agenda items discussed during the meeting follow their original order on the agenda in these minutes though some agenda items may have been taken out of order during the meeting.

Thursday, December 10, 2020

1. Call to Order

The Physical Therapy Board of California (Board) meeting was called to order by President Dr. Rabena-Amen at 9:07 a.m. and adjourned at 12:23 p.m. on December 10, 2020.

2. Roll Call and Establishment of Quorum

Dominguez- Present
Drummer – Present
Eleby – Present
Ervin – Present
McMillian – Present
Rabena-Amen - Present

All members were present, and a quorum was established. Also present at the meeting were: Michael Kanotz, PTBC Legal Counsel; Jason Kaiser, Executive Officer; Elsa Ybarra, Assistant Executive Officer; Brooke Arneson, Board staff, and Trisha St. Clair, DCA SOLID Webcast Moderator.

Dr. Rabena-Amen introduced new Board Member Mr. Johnathon Ervin.

3. Reading of the Board's Mission Statement

Mr. Ervin read the Board's mission statement: To advance and protect the

interests of the people of California by the effective administration of the Physical Therapy Practice Act.

4. Discussion and Possible Board Action on the 2021 Rulemaking Calendar

Ms. Arneson presented the proposed 2021 rulemaking calendar for Board consideration.

Mr. Kaiser added that many of the rulemaking packages have been on the Board's rulemaking calendars for the previous few years and that the two new rulemaking items that the Board would be pursuing this year is retired license status and continuing competency. Mr. Kaiser added that the Office of Administrative Law (OAL) uses these rulemaking calendars to anticipate upcoming projected rulemaking workload for the year.

MOTION: Adopt the 2021 Rulemaking Calendar

M/S: Eleby/McMillian

VOTE: Dominguez- Aye
Drummer – Aye
Eleby – Aye
Ervin – Aye
McMillian – Aye
Rabena-Amen - Aye
6-0 Motion carried

5. Public Comment on Items Not on the Agenda

Please note that the Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a).)

The Board requested public comment on items not on the agenda.

Dr. Leslie Torburn asked when the Electromyography (KEMG) and Electroneuromyography (ENMG) exam was provided and if the Board was considering working on an updated exam consistent with current technology and current practice.

Dr. James Syms, as a representative from the California Physical Therapy Association (CPTA), thanked the Board for responding to a request for information regarding the use and removal of IV and Oxygen lines in the practice of physical therapy.

Dr. James Syms also asked as a licensee of the Board, how the consideration of a new topic could be added to the rulemaking calendar. Dr. James Syms stated that there is a law in Texas which requires that documentation by a PTA must identify who their supervising PT is, and he knows this has been a problem in CA in the past and he felt that Texas had found a solution to the documentation of supervision problem.

Mr. Kaiser responded to Dr. Leslie Torburn that the Board has received a formal request for the KEMG/ENMG exam information and would be responding to that inquiry soon. Mr. Kaiser added that the KEMG/ENMG examinations were developed a long time ago and the Board does provide the examination on demand and the last time the Board received an application for this exam was in 2018 and that was the last time the Board administered the exam. Mr. Kaiser added that the Board is looking at reevaluating the KEMG/ENMG examination which would require working with the Department of Consumer Affairs Office of Professional Exam Services; however, he cannot comment on when that will begin and how long that will take at this time, as it is based on necessity and the Board's resources.

Mr. Kaiser responded to Dr. James Syms that it would be appropriate to ask the Board to consider rulemaking topics (for example: documentation of supervision) in the next agenda item: "Agenda Items for Future Meeting."

6. Agenda Items for Future Meeting –

March 24-25, 2021
Department of Consumer Affairs (WebEx)
2005 Evergreen Street, Hearing Room
Sacramento, CA 95815

Dr. Dominguez requested adding an agenda item about telemedicine and jurisdiction questions.

Dr. James Syms requested adding an agenda item regarding an official opinion on health and wellness and there is a formal letter from CPTA requesting this be addressed at a future meeting.

Dr. James Syms requested adding an agenda item for discussion regarding documentation of supervision of PTA's and looking at what other jurisdictions are doing to address this issue.

7. Closed Session

- (A) Pursuant to Government Code section 11126(c)(3), the Board will Convene to Deliberate on Disciplinary Actions and Decisions to be Reached in Administrative Procedure Act Proceedings.
- (B) Pursuant to Government Code section 11126(a)(1), the Board will Convene to Consider the Evaluation of Performance of the Executive Officer

- (C) Pursuant to Government Code section 11126(e)(1) and (2)(A), the Board will convene to confer with, or receive legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

The Board entered closed session at 9:34 a.m. and reconvened into open session to adjourn at 12:23 p.m. on Thursday, December 10, 2020.

8. Reconvene Open Session

The Board reconvened from closed session into open session to adjourn at 12:23 p.m. on December 10, 2020.

9. Adjournment

The meeting adjourned at 12:23 p.m. on December 10, 2020.